



November 14, 2011

Robert P. Oglesby
Executive Director
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

Re: Joint Petition of the Natural Resources Defense Council and the Sierra Club for Initiation of a Rulemaking Regarding California's Emissions Performance Standard

Dear Mr. Oglesby:

The undersigned organizations respectfully request the California Energy Commission (CEC) initiate a rulemaking proceeding to ensure that practices of California publicly-owned utilities (POUs) meet the requirements of Senate Bill 1368 (Perata, Chapter 598, Statutes of 2006) and California's Emissions Performance Standard (EPS).

We believe that modifications to the current CEC practices for regulating EPS requirements are necessary to tackle California's long-term global warming emissions reduction and for consistency with the language and intent of SB 1368. Leaving coal plant investment decisions solely to the POUs, and without clear criteria for evaluation of investments leads to policy risks and jeopardizes the long-term horizon of developing a low-carbon economy.

We look forward to working with the CEC, POUs, and stakeholders to resolve these issues.

Sincerely,

Noah Long
Energy Program Attorney
NRDC

Travis Ritchie
Associate Attorney, Environmental Law Program
Sierra Club

Cc: Robert Wiesenmiller, Chair
James D. Boyd, Vice Chair
Karen Douglas, Commissioner
Carla Peterman, Commissioner
Michael Levy, Chief Council
Sylvia Bender, Deputy Director
Lisa DeCarlo, Senior Staff Council
David Vidaver, Project Manager
Marc Pryor, Project Manager